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# STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE  
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Testimony of Michelle Cruz, Esq., State Victim Advocate  
Judiciary Committee  
Friday, March 19, 2010

Good morning Senator McDonald, Representative Lawlor and distinguished members of the Judiciary Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony concerning:

**Raised House Bill No. 5484, An Act Concerning the failure of a Witness to Report a Serious Crime Committed Against a Child**

The proposal, as I understand it, will create a new crime of failure to report a crime against a minor child. It appears that this would be similar to the current criminal offenses of Criminal liability for acts of another (C.G.S. § 53a-8); Conspiracy (C.G.S. § 53a-48); and Criminal attempt (C.G.S. § 53a-49). The significant difference being that this new offense, failure to report a crime against a child, would be classified as an A misdemeanor.

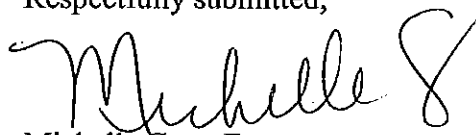
The Office of the Victim Advocate (OVA) has concerns with this proposal. Often, and as this committee heard during Monday's public hearing, many domestic violence victims struggle with abuse for years before having the courage to break free. For some of those domestic violence victims who have children, the strength to leave is born, if and when, the abuse turns toward the child. For others, however, the strength may never come. The unintended consequence of this proposal would expose domestic violence victims with arrest if the victim did not report the abuse of a child "as soon as reasonably practicable".

Additionally, domestic violence victims routinely become the subject of investigation by the Department of Children & Families (DCF) as a result of a domestic violence incident. In order for domestic violence victims to fully participate with DCF and law enforcement, there must not be the looming threat of an arrest for the failure to report a crime against a child.

The OVA understands the need to protect the most vulnerable of our citizens, children; however, this proposal is a step backwards to the effort of ending domestic violence and may very well have the opposite affect of its intended purpose—to protect children. Egregious cases of unreported incidents of abuse can be addressed with the use of the statutes referenced above. Victims and children of domestic violence need support and services; not more intimidation and criticism for being a victim of domestic violence.

Thank you for consideration of my testimony. I strongly urge the committee to reject **Raised House Bill No. 5484**.

Respectfully submitted,

  
Michelle Cruz, Esq.  
State Victim Advocate